CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION

FACT SHEET
FOR
ORDER NO. 01-34, NPDES NO. CAG 618005

WATERSHED-WIDE WASTE DISCHARGE REQUIREMENTS FOR
STORM WATER DISCHARGES ASSOCIATED WITH NEW DEVELOPMENTS
IN THE SAN JACINTO WATERSHED

I. BACKGROUND

A. REGULATORY BACKGROUND: NPDES PERMITS FOR STORM WATER DISCHARGES

In 1972, the Federal Water Pollution Control Act (also referred to as the Clean Water Act [CWA]) was amended to provide that the discharge of pollutants to waters of the United States[1] from any point source[2] is unlawful unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The 1987 amendments to the CWA added Section 402(p), which establishes a framework for regulating municipal and industrial (including construction sites) storm water[3] discharges under the NPDES Program. On November 16, 1990, the U.S. Environmental Protection Agency (USEPA) published final regulations that establish storm water permit application requirements for specified categories of industries. The final rule for Phase II of storm water discharges was published by USEPA on December 8, 1999. The regulations provide that discharges of storm water to waters of the United States from construction projects that encompass one or more acres of soil disturbance are effectively prohibited unless the discharges are in compliance with an NPDES Permit.

A number of permitting options are available for regulating storm water discharges from construction sites. The State Water Resources Control Board (State Board) issued a Statewide General Permit for Storm Water Discharges Associated with Construction Activity (General Permit). The Lahontan Regional Water Quality Control Board adopted a separate NPDES permit for the Lake Tahoe Hydrologic Unit, and the State Board adopted a separate NPDES permit for Caltrans projects. Currently, all construction projects within this Regional Board's jurisdiction are regulated under the General Permit. However, as discussed below, it is necessary to issue a watershed-wide storm water permit for new developments[4] for the San Jacinto watershed[5]. The applicability of this Order to ongoing construction activities in the area will be determined on a case-by-case basis.

Please see definitions at the end of the Fact Sheet

B. NEED FOR STORM WATER PERMIT FOR NEW DEVELOPMENTS IN SAN JACINTO WATERSHED

The CWA requires the states to adopt water quality standards (water quality standards include designated beneficial uses[6] and narrative and numeric water quality objectives designed to protect the designated beneficial uses).

The CWA also requires all states to conduct water quality assessments of their water resources to identify waterbodies that do not meet water quality standards. The waterbodies that do not meet water quality standards are placed on a list of impaired waters pursuant to the requirements of Section 303(d) of the CWA. The Regional Board

placed Lake Elsinore and Canyon Lake on the 303(d) list of impaired waters in 1994. Lake Elsinore and Canyon Lake are the terminal points for the San Jacinto watershed. The designated beneficial uses of these Lakes include:

Lake Elsinore:

a. Water contact recreation,
b. Non-contact water recreation,
c. Warm freshwater habitat, and
d. Wildlife habitat.

Canyon Lake:

a. Water contact recreation,
b. Non-contact water recreation,
c. Warm freshwater habitat,
d. Wildlife habitat,
e. Municipal and domestic supply,
f. Agricultural supply, and
g. Groundwater recharge.

Water quality problems adversely affecting these uses and their causes are listed below for these Lakes.

WATERBODY	***WATER QUALITY PROBLEM***	***CAUSES***	***NOTES***
LAKE ELSINORE	EXCESSIVE ALGAE GROWTH; OXYGEN DEPLETION; FISH KILL	SEDIMENT; NUTRIENTS[a]; TOXICITY	Specific causes of toxicity not known
CANYON LAKE	IMPACTS TO WATER-CONTACT RECREATION; EXCESSIVE ALGAE GROWTH; IMPACTS TO MUNICIPAL SUPPLY; FISH KILL; REDUCED STORAGE CAPACITY	PATHOGENIC ORGANISMS; NUTRIENTS[a]	Sediment/ toxicity problems reported recently

The Basin Plan objectives for constituents of concern and the current status of water quality in the Lakes are listed below:

[a] Nutrients: Nitrogen and Phosphorus compounds

CONSTITUENT	***LAKE ELSINORE***		***CANYON LAKE***	
	OBJECTIVE	***OBSERVED***[b]	***OBJECTIVE***	***OBSERVED***[b]
Total inorganic nitrogen	1.5 mg/l	15 mg/l	8 mg/l	10 mg/l
Toxic substances	No toxics in toxic amounts	Acute and chronic toxicity	No toxics in toxic amounts	Some toxicity noted recently
Sediment	No excessive sedimenta-tion	Storm drain inlets blocked with sediment	No excessive sedimenta-tion	Siltation in East Bay noted recently
Dissolved oxygen	5 mg/l	1 to 10 mg/l	5 mg/l	1 to 10 mg/l
Algae	No excessive algae growth	Excessive algae growth	No excessive algae growth	Excessive algae growth
Suspended and settleable solids	Not to cause nuisance or adversely affect beneficial uses	No problems noted, except for blocked storm drains	Not to cause nuisance or adversely affect beneficial uses	Increase in lake bottom height
Coliform bacteria	Fecal coliform 200/100 ml	No problems noted	Total coliform 100/100 ml	100-20000/100 ml

Federal regulations require that a TMDL be established for each 303(d) listed waterbody for each of the pollutants causing impairment. The TMDL is the total amount of the problem pollutant that can be discharged while water quality standards in the receiving water are attained, i.e., water quality objectives are met and the beneficial uses are protected. A TMDL is the sum of the individual wasteload allocations (WLA) for point source inputs, load allocations (LA) for non-point source[7] inputs and natural background, with a margin of safety. The WLAs are the basis for limitations established in waste discharge requirements issued to point source discharges. The Regional Board prioritized its TMDL process for the 303(d) listed waterbodies within the Region. The TMDLs for Lake Elsinore and Canyon Lake are scheduled to be established by 2004. In the absence of WLAs, waste discharge requirements must be established using best professional judgment based on existing information and must include measures/limitations necessary to ensure that discharges do not contribute to the water quality problems in impaired waters. Except for purchased Colorado River water discharges to Canyon Lake by Elsinore Valley Municipal Water District (3 times during the last 10 years), most of the discharge to these two Lakes comes from storm water flows from the San Jacinto watershed. In addition, there are some nuisance flows during dry weather and at other times into these Lakes. Occasionally (3 times during the last 10 years), Canyon Lake flows into the San Jacinto River, which discharges to Lake Elsinore. Under heavy and chronic storm conditions, Lake Elsinore overflows to Temescal Wash (2 times during the last 10 years). Except for these rare overflows, both of these Lakes are essentially closed systems.

[b] Highest observed or range of observed values

The storm water discharges and non-storm water discharges are substantial contributors to water quality impairment in the Lakes. Any runoff from new developments, if not properly managed and regulated, could further exacerbate this problem both during and after construction. The major pollutants of concern during the construction phase include: sediments, oils, grease, paints, gasoline, adhesives, concrete truck washdown, raw materials used in the manufacture of concrete and other construction materials, solvents, litter, debris, and sanitary wastes. The pollutants of concern after construction is complete include: nutrients from lawn fertilizers, pesticides and herbicides, bacteria from pet and human wastes, metals and other toxic substances from street and highway runoff (from tires, brake pads, etc.), oils, grease, petroleum products, antifreeze from automobiles, phosphates from phosphate-based detergents and fertilizers, litter, debris, sanitary wastes, and other wastes from illegal dumping. Generally, sediment discharges should decrease once the area is fully developed and stabilized. However, storm water flow is expected to increase due to an increase in the impervious surface area.

A number of developments are proposed in the Lake Elsinore, Canyon Lake and other tributary areas. The following table shows the current land uses and the proposed acreage for new developments:

LAND USE	ACRES	PERCENTAGE OF TOTAL
Vacant (largely grassland)	304,194	66
Agricultural (Confined animal facilities and crop land)	83,157	18
Residential	41,521	9
Military	5,745	1
Transportation & Utilities	4,867	1
Water & Flood Plain	3,688	1
Open Space & Preserve	2,954	1
Commercial	2,256	0.5
Proposed New Developments	1,325	0.2 (vacant land)
Proposed New Developments	489	0.09 (open space)

The proposed developments are only a small fraction of the total land area within the watershed. However, the developments could cause significant changes in the quality of runoff from the site and thereby contribute to the existing impairment of the lakes. For example, there is almost a 200 fold increase in the amount of sediment from an active construction site compared to grassland. If proper control measures, pursuant to a SWPPP, are implemented at the construction site, most of the sediment discharges should be controlled. Post-construction discharges from the developments are likely to include pollutants now causing water quality standards impairment in Lake Elsinore and Canyon Lake. Unless properly regulated, such discharges would contribute to the impairment. Discharges of sediment or other pollutants from the developments must not cause or contribute to a violation of water quality standards for the receiving waters.

The State Board’s General Permit is currently used in most parts of the State to regulate storm water discharges from construction sites. The General Permit relies on the development and implementation of storm water pollution prevention plans (SWPPP) and Best Management Practices (BMPs) to assure that the water quality standards (beneficial uses and water quality objectives) of affected receiving waters are protected. Several environmental organizations filed suit against the State Board, arguing that the SWPPP/BMP provisions of the General Permit do not comply with the Clean Water Act mandate for effluent limitations that prevent violations of water quality

standards. In a July 27, 2000 preliminary ruling, the Sacramento Superior Court rejected this argument and held that BMPs qualify as water-quality based effluent limitations that satisfy the Clean Water Act mandate, even for waters listed as impaired under Section 303(d) of the Act. However, the Court found that the Sate Board needs to include provisions in the General Permit that require more specific monitoring designed to determine the effectiveness of the BMPs and SWPPPs. Currently, the General Permit provides the Regional Boards with discretionary authority to require submittal of SWPPPs, Monitoring Programs, Post-construction Management Plans, and additional monitoring, including sampling and analysis of storm water discharges from construction sites. This NPDES permit differs from the General Permit only in that it exercises this discretionary authority by requiring the dischargers to monitor storm water discharges from their sites and to submit SWPPPs, Monitoring Programs and Post-construction Management Plans.

In the absence of WLAs, specified in TMDLs for construction projects in the area, these amendments to the General Permit are necessary to properly regulate and monitor the discharges from all new developments in the area. Adoption of this amended permit would allow these developments to proceed prior to the expected completion of the Elsinore/Canyon Lake TMDLs in 2004.

II. PERMIT REQUIREMENTS/REGULATORY BASIS

The proposed order includes BMP requirements, narrative limits, prohibitions, and receiving water limitations. Additionally, the order requires all dischargers, where new development disturbs five acres or more, to:

1) Develop and implement a Storm Water Pollution Prevention Plan (SWPPP), approved by the Executive Officer, that specifies Best Management Practices[8] (BMPs) to minimize pollutants in storm water runoff.

2) Develop and implement an approved Monitoring and Reporting Program and an Inspection Program, including pre-, during- and post-construction monitoring to identify and quantify pollutants in storm water runoff from the site. This could be included in the SWPPP.

3) Develop and implement an approved Post-Construction Management Program; this program should identify parties responsible for the long-term operation and maintenance of any structural or programmatic controls proposed in the Post-Construction Management Program and long-term funding mechanisms for operation and maintenance. This could also be included in the SWPPP.

The Order accompanying this Fact Sheet regulates storm water runoff from new developments within the San Jacinto watershed. Dischargers[10] are required to submit a Notice of Intent (NOI) to obtain coverage under this Order. It is expected once the TMDLs are developed for the Lakes, this Order will be revised. When this occurs, those dischargers will be regulated under the revised Order.

A. PROHIBITIONS

This Order authorizes the discharge of storm water to surface waters from new developments that result in the disturbance of five or more acres of land. It prohibits the discharge of materials other than storm water and authorized non-storm water. It also prohibits the

discharge of a hazardous substance in excess of reportable quantities established at 40 Code of Federal Regulations (CFR) 117.3 or 40 CFR 302.4 unless a separate NPDES Permit has been issued to regulate those discharges. In addition, this order contains provisions that uphold discharge prohibitions contained in the Water Quality Control Plan for the Santa Ana River Basin (Basin Plan).

B. EFFLUENT LIMITATIONS

This order is an interim control measure for discharges to impaired waters. This interim control measure should at least ensure that the current water quality is maintained and/or improved until TMDLs are adopted. It is expected that the requirements for appropriate BMPs and other control measures will achieve this objective and that the monitoring program will determine compliance with the permit conditions. The TMDLs will be designed to improve water quality in the Lakes, and eventually to restore all beneficial uses.

Permits for storm water discharges associated with new development shall meet all applicable provisions of Sections 301 and 402 of the CWA. These provisions require controls of pollutant discharges that utilize best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT) to reduce pollutants, and any more stringent controls necessary to meet water quality standards. It is anticipated that the water quality standards will be met through implementation of appropriately developed SWPPPs, Monitoring Programs, and Post-construction Management Plans.

If the monitoring program indicates that the provisions of this Order are not being met, additional control measures are required.

Another major problem with construction sites is the discharge of pollutants in non-storm water. Non-storm water discharges include a wide variety of sources, such as water line flushing, landscape irrigation, diverted stream flows, foundation drains, agricultural irrigation water, water from crawl spaces, street washdown, footing drains, individual car washing, improper dumping, spills, or leakage from storage tanks or transfer areas. Non-storm water discharges may contribute a significant pollutant load to receiving waters. The proposed order authorizes certain types of non-storm water discharges under specified conditions. Measures to control spills, leaks, and dumping and to prevent illicit connections during construction shall be addressed through structural as well as non-structural BMPs.

The requirements of this order are intended to be implemented on a year-round basis, not just during the part of the year when there is a high probability of a precipitation event that results in storm water runoff. The order must be implemented at the appropriate level and in a proactive manner during all seasons while construction is ongoing. Post-construction management of runoff from the area is another important facet of the proposed order.

C. RECEIVING WATER LIMITATIONS

Construction related activities that cause or contribute to an exceedance of water quality standards must be corrected immediately and cannot wait for the Regional Board to approve a plan of action to correct. The dynamic nature of new development allows the discharger the ability to more quickly identify and correct the source of the exceedances. Therefore, the discharger is required to take immediate corrective action and to provide a report to the Executive Officer

within 5-calendar days of the violation describing the violation and the corrective action.

D. STORM WATER POLLUTION PREVENTION PLAN

This order requires development and implementation of a SWPPP. This document emphasizes the use of appropriately selected, correctly installed and maintained pollution reduction BMPs, a monitoring and reporting program and a post-construction management program. This approach provides the flexibility necessary to establish BMPs that can effectively address source control of pollutants during various phases of construction, and for post-construction management programs.

All dischargers will be required to prepare and implement a SWPPP prior to disturbing a site. The SWPPP must be implemented at the appropriate level to protect water quality at all times throughout the life of the project. Non-storm water BMPs must be implemented year-round. The SWPPP must remain on the site while the site is under construction, commencing with the initial mobilization[11], and ending with the termination of coverage under the permit.

The SWPPP has two major objectives: (1) to help identify the sources of sediment and other pollutants that affect the quality of storm water and non-storm water discharges and (2) to describe and ensure the implementation of BMPs to reduce or eliminate sediment and other pollutants in storm water discharges. The SWPPP must include BMPs that address source control and, if necessary, must also include BMPs that address pollutant control.

Required elements of a SWPPP include: (1) site description addressing the elements and characteristics specific to the site, (2) descriptions of BMPs for erosion and sediment controls, (3) BMPs for construction waste handling and disposal, (4) implementation of approved local plans, (5) proposed post-construction controls, including description of local post-construction erosion and sediment control requirements, and (6) non-storm water management.

To ensure that the preparation, implementation, and oversight of the SWPPP is sufficient for effective pollution prevention, individuals responsible for creating, revising, overseeing, and implementing the SWPPP must participate in applicable training programs and document such training in the SWPPP.

SWPPPs are reports that are available to the public under Section 308(b) of the CWA and will be made available by the Regional Board upon request.

E. RUN-ON FROM UPSTREAM SOURCES AND THE MONITORING PROGRAM

Another major feature of the order is the development and implementation of a monitoring and reporting program. A number of dischargers have expressed concern regarding potential pollutants from upstream sources. In such cases, it is necessary to establish the quality of storm water run-on from upstream sources to determine the amount of pollutant discharges from the site. The monitoring program should include any proposed pre-construction, during- and post-construction monitoring, and any monitoring of run-on from upstream sources. To minimize monitoring cost, the discharger may use data from other published and reliable sources.

All dischargers are also required to conduct inspections of the construction site prior to anticipated storm events and after actual

storm events. During extended storm events, inspections must be made during each 24-hour period. The goals of these inspections are: (1) to identify areas contributing to a storm water discharge; (2) to evaluate whether measures to reduce pollutant loadings identified in the SWPPP are adequate and properly installed and functioning in accordance with the terms of the order; (3) to determine whether additional control practices or corrective maintenance activities are needed to insure compliance with the terms and conditions of this order; and (4) to sample and analyze the discharge. Equipment, materials, and workers must be available for rapid response to failures and emergencies. All corrective maintenance to BMPs must be performed as soon as possible, depending upon worker safety.

The monitoring program is intended to determine the effectiveness of the control measures and to determine pollutant levels in the discharges from construction projects. A well-developed monitoring program will provide a good method for checking the effectiveness of the SWPPP.

F. POST-CONSTRUCTION MANAGEMENT PLAN

The Post-construction Management Plan must include structural and non-structural control measures, public education programs, and other storm water and non-storm water management programs to ensure control of pollutants in discharges from new developments. It should also identify mechanisms and responsible parties for funding, operation and maintenance.

Under the Riverside County Area-wide Urban Storm Water Runoff Permit, the municipalities are responsible for discharges from storm water conveyance systems owned and/or operated by them. It is anticipated that in most cases, the post-construction management of storm water from new developments, including any structural controls, will also be the responsibility of the municipalities.

G. OFFSET PROVISIONS

In certain cases, economics may dictate that it is cost effective to remove a pollutant after its discharge from the project site (e.g., nutrient removal utilizing a wetland area constructed outside the project site.) The order provides the discharger an option to propose offsets for pollutant discharges. To be acceptable, the offset proposal should be only for pollutants that will not have an immediate impact on the environment and the pollutants should be removed from the impacted watershed.

H. REPORTING REQUIREMENTS

Each discharger must certify annually during the life of the project that the new developments were in compliance with the requirements of this order. Dischargers who cannot certify annual compliance must notify the Executive Officer at the time of submittal of the annual report on August 1 (see additional reporting requirements in the next paragraph).

The dischargers must report all serious violations (violations that could have an immediate adverse impact on human health or the environment) to the Executive Officer by phone within 24 hours of becoming aware of the violation. A written report is required to be submitted within 5 days. An annual report including a summary of all inspection reports, analytical results, and annual certification is to

be submitted by all dischargers to the Regional Board office by August 1, of each year covering activities for July 1 to June 30.

III. RETENTION OF RECORDS

The discharger is required to retain records of all monitoring information, copies of all reports required by this order, and records of all data used to complete the NOI for all new developments to be covered by the order for a period of at least three years from the date generated. This period may be extended by request of the Executive Officer.

IV. TYPES OF NEW DEVELOPMENTS COVERED BY THIS ORDER

New developments subject to this order include any clearing, grading, disturbances to the ground such as stockpiling, or excavation that results in soil disturbances of at least five acres of total land area. New developments that result in soil disturbances of less than five acres are subject to this Order if the new development is part of a larger common plan of development that encompasses five or more acres of soil disturbance or if there is significant potential for water quality impairment resulting from the activity. New developments do not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of a facility, nor do they include emergency new developments required to protect public health and safety. Dischargers should confirm with the Regional Board office whether or not a particular routine maintenance activity is subject to this order.

A construction project that includes a dredge and/or fill discharge to any jurisdictional surface water (e.g., wetland, channel, pond, or marine water) will also need a CWA Section 404 permit from the U.S. Army Corps of Engineers and a CWA Section 401 Water Quality Certification from the Regional Board.

V. NOTIFICATION/PLAN APPROVAL REQUIREMENTS

A. NEW DEVELOPMENT

It is the responsibility of the discharger to obtain coverage under this order and to have the plans and programs approved by the Executive Officer of the Regional Board prior to commencement of new developments. To obtain coverage, the discharger must file a NOI with the Regional Board office, including a vicinity map and a fee of $250. In addition, coverage under this permit shall not occur until the SWPPP, the Monitoring and Reporting Program and the Post-construction Management Program are approved by the Executive Officer. Section A of the Order outlines the required contents of a SWPPP, the Monitoring Program and the Post-construction Management Program. For proposed new development on easements or on nearby property by agreement or permission, the entity responsible for the new development must file a NOI and filing fee and shall be responsible for development of the SWPPP, Monitoring and Reporting Program, and Post-construction Management Plan, all of which must occur prior to commencement of new developments.

A separate NOI must be submitted to the Regional Board for each construction site. Dischargers proposing new developments must file a NOI prior to the commencement of construction.

The NOI requirements of the Order are intended to establish a mechanism that can be used to clearly identify the responsible parties, locations, and scope of operations of dischargers covered by the Order and to document the discharger's knowledge of the requirements for a SWPPP.

The NOI must be sent to the following address:

Regional Water Quality Control Board
Storm Water Section
3737 Main Street, Suite 500
Riverside, CA 92501-3348

The current annual fee for this NPDES permit is $250.

When construction is complete or ownership has been transferred, dischargers shall file a Notice of Termination to the above address certifying that all State and local requirements have been met in accordance with Special Provisions for Construction Activity, C.7, of the Order.

Dischargers who fail to obtain coverage under this Order for storm water discharges to surface waters will be in violation of the CWA and the California Water Code. The CWA and the California Water Code provide for civil and criminal penalties for such violations.

B. EXISTING DEVELOPMENTS

All ongoing construction activities will be reviewed on a case-by-case basis to determine the applicability of this Order.

VI. AREAS COVERED UNDER THIS PERMIT:

All proponents of new developments in areas tributary to Canyon Lake and/or Lake Elsinore are required to be covered under this permit. This includes most areas within the Cities of Canyon Lake, Idyllwild, Hemet, Lake Elsinore, Perris, San Jacinto, Sun City and portions of Moreno Valley and unincorporated county areas tributary to these areas. However, it is recognized that runoff from some of these areas may not reach these Lakes. As discussed below, exemptions from coverage under this permit can be granted.

VII. EXEMPTIONS:

If the project proponent provides sufficient proof (area hydrology and topography, historic runoff data, retention ponds or other runoff control structures, etc.) that a proposed project would not impact water quality in Canyon Lake and/or Lake Elsinore, an exemption from coverage under this permit can be granted. Any requests for an exemption from this permit must be submitted to the Executive Officer, with all supporting documentation, at least 60 days prior to any earth disturbing activities. The Executive Officer will inform the discharger if an exemption is granted. If an exemption from this permit is granted, coverage under the State Board's General Permit may still be required.

VIII. COST ANALYSIS:

This Order proposes to implement the State's General Permit, but specifically requires monitoring for storm water runoff from project

sites or participation in a watershed-wide monitoring program. Generally, monitoring is not required under the General Permit (the July 27, 2000 Sacramento Superior Court ruling might require the State to add this requirement to the General Permit). Therefore, this cost analysis only considers the incremental cost of monitoring and analysis of storm water runoff from project sites. The requirements include monitoring of three storm events per wet season and analyzing for sediments, nutrients, toxicity, pH, and total and fecal coliform bacteria. The following analytical costs include sample pickup, are based on Regional Board's contract laboratory costs, and are expected to be representative of the costs for most laboratories in the area.

Total suspended solids (sediments)	=$7.00
Combined nutrient analysis (nitrogen and phosphorus compounds)	=$60.00
Acute toxicity testing	=$150.00
pH	=$4.00
Total coliform	=$15.00
Total analytical cost per sample	=$236.00

This estimate does not include costs for collecting the samples. Since samples are required to be collected only during normal operating hours, it is expected that construction site personnel would be available to perform this task and the incremental cost for this would be minimal.

It is also likely that each construction site may have more than one discharge location. The order provides an option for reducing the number of monitoring locations by selecting representative sampling locations.

IX. GENERAL INFORMATION:

A. APPLICATION FORM/NOI:

The application (NOI) is attached to the Order. See the cover sheet/NOI Instructions for application/fee details and Section V for other plan approval requirements.

B. REGIONAL BOARD CONTACT INFORMATION:

To determine the appropriate Regional Board staff contact, please visit: www@rb8.swrcb.ca.gov/rwqcb8 or call 909-782-4130. The office is located at:

3737 Main Street, Suite 500
Riverside, CA 92501-3348

C. WEATHER INFORMATION:

Weather and storm predictions or weather information concerning the 10-year, 6-hour storm event and mean annual rainfall can be obtained by calling the Western Regional Climate Center at 702- 677-3106 or via the Internet at www.wrcc.dri.edu/precip.html and/or www.wrcc.dri.edu/pcpnfreq.html. Other rainfall information is available at www.cdec.water.ca.gov.

D. DEFINITIONS:

[1]*Waters of the United States*:

(a) All surface waters, including rivers, lakes, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds
(b) Tributaries of waters identified in paragraph (a);
(c) The territorial sea; and
(d) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (c) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA are not waters of the United States. Waters of the State include surface and groundwaters.

[2]*Point Source Discharges*:
Discharges conveyed through discrete conveyance systems such as pipes, conduits, channels, etc.

[3]*Storm Water Runoff*:
Runoff generated from rain, snow, sleet, hail or any other form of precipitation including surface runoff and drainage.

[4]*New Development*:
Any project that disturbs five or more acres of land, including construction activities. Projects that have obtained coverage under the State Board's General Construction Permit (Water Quality Order No. 99-08-DWQ) prior to January 19, 2001 are not considered new developments and are not required to get coverage under Order No. 01-34.

[5]*San Jacinto Watershed*:
All areas that drain into the San Jacinto River with a terminus in Canyon Lake and/or Lake Elsinore and drainage areas tributary to these Lakes.

[6]*Beneficial Uses*:
All past, present and potential uses of waters of the Region. Beneficial uses are designated in the Basin Plan.

[7]*Non-Point Source Discharges*:
Discharges from dispersed, and often hard to identify sources.

[8]*Best Management Practices*:
Practices, procedures, activities, employed to properly manage wastes and to prevent or reduce pollutants in discharges from the facility.

[9]*Non-Storm Water Discharges*:
Any runoff that is not caused by precipitation (not originating from rain, snow, sleet, hail, etc).

[10]*Dischargers*:
Owners of land, developers, contractors, or any other entity responsible for the project.

[11]*Commencement of Construction*:
The initial disturbance of soils associated with clearing, grading, or excavating activities or other construction activities.